

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

January 19, 2001 LB 54

out was passed in 1923, well before the Uniform Commercial Code, which came in in the fifties, and the rise of these other things. So it was...it's an almost slightly post-frontier phenomenon in which threshers who would come through and do custom combining at that time, although they probably wouldn't have been called custom combining them, would do the work, go to the court house, file at the court house that they'd done the work and move on to the next county and do some more. And on the face of it, I think you've made an excellent point. There is, in fact, a conflict here of these very old statutes. The reason that they are being amended is because we're harmonizing Nebraska statutory liens to the rest of this change of law, but, in fact, it seems to me that probably if you simply repealed Section 6, which is this 1923 misdemeanor for secreting the grain, you're probably as well off as a way to resolve this conflict as anything. I would entertain that idea on Select File, if we would put it in the Journal and give notice to the ag groups. If there is a downside to repealing that, I'd like to know it. On the other hand, I can't imagine a county attorney in this state filing under 52-503 for the selling or disposal of grain to beat a thresher's lien. I just...that's not what county attorneys are going to do and a Class III misdemeanor is, I think, a useless tool for the enforcement of people who commit this wrong. Thank you.

SENATOR COORDSEN: Thank you, Senator Landis. Senator Beutler, please.

SENATOR BEUTLER: Senator Landis, I think your process suggestion is a good one, but I mainly just wanted to clear up one point. I, obviously, misspoke. I was suggesting that my suggestion wasn't the biggest thing in the world, not that your bill wasn't the biggest thing in the world. In fact, I think it has some considerable size and clout. Thank you.

SENATOR COORDSEN: Thank you, Senator Beutler. There are no further lights on. Senator Landis, did you wish to say anything in closing? Closing is waived. The question before the body is the advancement to E & R Initial of LB 54. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.